

Sex and Punishment: Four Thousand Years of Judging Desire

Eric Berkowitz

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You with your 'rope in the ring,' your 'obelisk in the Coliseum,' your 'leek in the garden,' your 'key in the lock,' your 'bolt in the door,' your 'pestle in the mortar' ... why don't you say yes when you mean yes and no when you mean no, or else keep it to yourself.

Such is the advice of a prostitute in the *Dialoghi (Dialogues)* of Pietro Aretino, one of Italy's most infamous sixteenth-century pornographic works. Although many students of history are aware of how influential the printing press was in giving the general public access to scientific knowledge, Bibles, and political discourse, far fewer may be aware that the printing press also gave rise to the first mass production of pornography. The works of Aretino, for example, joined the works of Kepler, Martin Luther, Copernicus, and Boccaccio, in being among the Vatican's first *Index Librorum Prohibitorum* (List of Forbidden Books), but nevertheless, copies circulated like wildfire in cities across Europe. In this first book by writer, lawyer, and journalist Eric Berkowitz, the history of Western sex law, from our earliest historical records all the way through the nineteenth century, is thoroughly explored and entertainingly told. Stories of political scandal, domestic intrigue, religious intolerance, and corporeal fervor are entwined in an intricate love—or lust—knot that's difficult to put down.

By deftly weaving individual cases with legal particulars, Berkowitz manages to create an insightful, tantalizing, and accessible account of four thousand years of sexual herding. Beginning with the earliest laws and records of ancient Mesopotamia, Egypt, Israel, Greece, and Rome, and continuing up through the middle ages, the Enlightenment, and so on, Berkowitz examines the laws and court cases that depicted societal standards for sex—standards as changeable as the sea—and the countless ways humans have deviated from those “norms.” He explores laws regulating sex inside and outside of marriage, obligations of women and slaves, attitudes toward bodily fluids, homosexuality, and laws pertaining to prostitution, as well as incest, sex with children, and bestiality. Berkowitz astounds with unfathomable truths: that “As late as 1878, *The British Medical Journal* ran extensive correspondence on the question of whether or not a ham could turn rancid at the touch of a menstruating woman.” His accounts include the imprisonment of Oscar Wilde, the Roman college of Vestals—virgin priestesses that were guardians (and scapegoats) of the Roman Empire, the evolution of the story of Sodom and Gomorrah, and the countless punishments, ancient and modern, used to “correct” all manner of sexual misconduct. Berkowitz's work will be of great interest to social historians, students of human sexuality, and anyone seeking a better understanding of that age-old wrestling match between power and desire.

JENNIFER SPERRY STEINORTH (Summer 2012)

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